

### **REMARKS/ARGUMENTS**

This Response and the following remarks are intended to fully respond to the Final Office Action mailed May 23, 2006. In that Office Action, claims 1-26 were examined, and all claims were rejected. Claims 1-26 remain pending for examination. Claim 1 has been amended. Reconsideration of the pending claims in view of the following remarks is respectfully requested.

#### **Claim Rejections – 35 U.S.C. § 102**

Claims 1-9 and 14-22 stand rejected under 35 U.S.C. § 102(e) as being anticipated by Schloss et al. (USPN 6,249,844), hereinafter "Schloss." Applicants respectfully traverse the rejection.

Claims 1 and 14 have been amended to clarify the antecedent basis for the term "objects." Claims 1 and 14 now recite "the created objects referenced by the page object." These amendments are intended to clarify the original scope of the claim and are not intended to narrow the scope in any way or to overcome the cited references.

Claim 1 is directed to a method including sending contents of a created rendered page to a client computing system after rendering pre-rendered output data retrieved from an output cache on the server computing system and created objects referenced by the page object.

In sharp contrast, Schloss discloses sending to a client a revised page having "<include>" clauses containing persistent identifiers. The persistent identifiers point to fragment descriptions stored on the server. Schloss, column 5, lines 53 through column 6, line 15; and Figures 3-5. In Schloss, the client, and not the server, creates a rendered page by assembling the revised page and fragments rendered by the server. See, e.g., Schloss, column 9, lines 15-45; and Figures 7, 11, and 13. This method is different from rendering contents of a page and sending the page with the rendered contents to the client computing system as set forth in the pending claims.

Moreover, Schloss teaches away from sending contents of a rendered page to a client computing system after rendering pre-rendered output data retrieved from an output cache on the server computing system and created objects referenced by the page object. Schloss teaches "each fragment—once removed—may need to be requested **separately** with additional requests from the client." For example, in Schloss, the server either calls an object

handler at module 615 of Figure 6 to edit and send a revised page to the client or calls a fragment handler at module 620 to retrieve data from the output cache on the server. See, e.g., Schloss, column 6, lines 16-30, and 41-43; column 8, lines 4-35; and Figures 6, 7, and 11. Moreover, the fragment handler is not called unless the client sends a request for a fragment after receiving the revised page with a persistent identifier pointing to the description of the fragment. In fact, due to this need for multiple server calls, Schloss teaches it is preferable to only extract and replace select fragments. See Schloss, column 9, lines 42-45. See also Figure 8 at module 835 and Figure 12. Sending these select fragments separately enables Internet appliances to divide the processing tasks between the server and the client. See Schloss, column 9, lines 20-45.

For at least these reasons, Schloss does not anticipate claim 1. As the Examiner states, independent claim 14 has similar limitations as claim 1 and, accordingly, claim 14 is allowable over Schloss for at least the same reasons as discussed above with respect to claim 1. Moreover, claims 2-13 and 15-26 depend, directly or indirectly, from claims 1 and 14, respectively, and are thus allowable for at least the same reasons. Applicants respectfully request withdrawal of the rejection and allowance of claims 1-13 and 15-26.

#### **Claim Rejections – 35 U.S.C. § 103**

Claims 10, 11, 13, 23, 24 and 26 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Schloss in view of Mattson (USPN 5,434,992), hereinafter "Mattson." The Applicants respectfully traverse this rejection.

Claims 10, 11, and 13 depend from claim 1 and are allowable over Schloss for at least the same reasons as discussed above with respect to claim 1. Mattson does not overcome the shortcomings of Schloss. Mattson also fails to disclose or suggest inserting retrieved pre-rendered output data and objects as components into a hierarchical tree data model, rendering the components of the hierarchical tree data model to create a rendered page, or sending contents of the created rendered page to the client computing system. Rather, Mattson is directed to dynamically allocating space in a partitionable cache from a real time reference trace. See *Mattson*, col. 2, lines 42-44. Therefore, a person having skill in the art would not be lead to the invention of claims 10, 11, and 13 by the combination of Schloss and Mattson.

Claims 23, 24, and 26 depend from claim 14 and are allowable over Schloss for at least the same reasons as discussed above with respect to claim 14. Mattson does not overcome the shortcomings of Schloss for at least the same reasons as discussed above with respect to claims 10, 11, and 13. Therefore, a person having skill in the art would not be lead to the invention of claims 23, 24, and 26 by the combination of Schloss and Mattson. Applicants respectfully request withdrawal of the rejection and allowance of claims 10, 11, 13, 23, 24, and 26.

Claims 12 and 25 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over Schloss in view of Smith et al. (USPN 5,802,600), hereinafter "Smith." Applicants respectfully traverse the rejection.

Claim 12 depends from claim 1 and is allowable over Schloss for at least the same reasons as discussed above with respect to claim 1. Smith does not overcome the shortcomings of Schloss. Smith fails to disclose or suggest inserting retrieved pre-rendered output data and created objects as components into a data model, rendering the components to create a rendered page, or sending contents of the rendered page to the client computing system. Rather, Smith is directed to determining a desirable directory/data block ratio is a cache memory. *See Smith*, Abstract. Therefore, a person having skill in the art would not be lead to the invention of claim 12 by the combination of Schloss and Smith.

Claim 25 depends from claim 14 and is allowable over Schloss for at least the same reasons as discussed above with respect to claim 14. Smith does not overcome the shortcomings of Schloss for at least the same reasons as discussed above with respect to claim 12. Therefore, a person having skill in the art would not be lead to the invention of claim 25 by the combination of Schloss and Smith. Applicants respectfully request withdrawal of the rejection and allowance of claims 12 and 25.

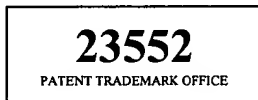
### **Conclusion**

This Response fully responds to the Final Office Action mailed May 23, 2006. Still, that Office Action may contain arguments and rejections that are not directly addressed by this Response because they are rendered moot in light of the preceding arguments in favor of patentability. Hence, failure of this Amendment to directly address an argument raised in the Office Action should not be taken as an indication that the Applicants believe the argument

has merit, or that the Applicants acquiesce to the argument. Furthermore, the claims of the present application may include other elements, not discussed in this Amendment, which are not shown, taught, or otherwise suggested by the art of record. Accordingly, the preceding arguments in favor of patentability are advanced without prejudice to other bases of patentability.

It is believed that no further fees are due with this Response. However, the Commissioner is hereby authorized to charge any deficiencies or credit any overpayment with respect to this patent application to deposit account number 13-2725.

In light of the foregoing remarks, it is believed that the application is in condition for allowance and thus prompt allowance is respectfully solicited. Since the remarks above are believed to distinguish over the applied reference, any remaining arguments supporting the claim rejections are not acquiesced to because they are not addressed herein.



Date: July 21, 2006

Respectfully submitted,

MERCHANT & GOULD P.C.

P.O. Box 2903

Minneapolis, Minnesota 55402-0903

(612) 332-5800

  
John C. Reich

Reg. No. 37,703

JCR/JKS:bog